

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.: 2007-1403-AIR-E TCEQ ID: RN102579307 CASE NO.: 34529**  
**RESPONDENT NAME: Exxon Mobil Corporation**

Page 1 of 2

<b>ORDER TYPE:</b>		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Exxon Mobil Baytown Facility, 2800 Decker Drive, Baytown, Harris County</p> <p><b>TYPE OF OPERATION:</b> Refining and supply company</p> <p><b>SMALL BUSINESS:</b>    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There are seventeen additional pending enforcement actions regarding this facility location, Docket Nos. 2007-0932-AIR-E, 2007-0566-AIR-E, 2007-1210-AIR-E, 2007-0463-AIR-E, 2005-1824-AIR-E, 2007-1221-AIR-E, 2007-0802-AIR-E, 2007-1134-AIR-E, 2007-1183-AIR-E, 2006-0875-AIR-E, 2007-0872-AIR-E, 2006-0498-AIR-E, 2007-0214-AIR-E, 2007-1637-AIR-E, 2007-1404-AIR-E, 2007-1004-AIR-E, and 2008-0013-AIR-E.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on January 22, 2008. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b> <b>TCEQ Attorney/SEP Coordinator:</b> Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 <b>TCEQ Enforcement Coordinator:</b> Mr. John Muennink, Enforcement Division, Enforcement Team 4, MC R-14, (361) 825-3423; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 <b>Respondent:</b> Mr. Adam Cantu, Environmental Supervisor, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522 Mr. Jeff Kovacs, Environmental Supervisor, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522 Mr. Gary Wilson, Baytown Refinery Manager, Exxon Mobil Corporation, P.O. Box 4004, Baytown, Texas 77522 <b>Respondent's Attorney:</b> Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> June 13, 2007</p> <p><b>Date of NOV/NOE Relating to this Case:</b> August 13, 2007 (NOE)</p> <p><b>Background Facts:</b> This was a routine investigation. One violation was documented.</p> <p><b>AIR</b></p> <p>Failure to prevent unauthorized emissions. Specifically, the Respondent released 11,294 pounds ("lbs") of sulfur dioxide, 1.5 lbs of hydrogen sulfide and 0.81 lbs of sulfur from the Low BTU Gas Fired Sources ("LBG") during an avoidable emissions event that began March 2, 2007 and lasted 16 hours and 27 minutes. Hydrogen sulfide concentrations exceeded 162 ppm for a duration of four hours and nine minutes during the event. Since these emissions were avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH &amp; SAFETY CODE § 382.085(b) and Permit No. 18287, Special Condition No. 1].</p>	<p><b>Total Assessed:</b> \$10,000</p> <p><b>Total Deferred:</b> \$0  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$5,000</p> <p><b>Total Paid to General Revenue:</b> \$5,000</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> <p><b>Findings Orders Justification:</b>  Human health or environmental receptors have been exposed to pollutants that exceed protective levels.</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures as of June 8, 2007:</p> <p>a. A series of calculations has been developed to predict a material balance around the regenerator tower; and</p> <p>b. An alarm has been set to alert operating personnel to changes in the material balance that indicate possible flooding conditions.</p> <p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP).</p>

Additional ID: HG0232Q

Attachment A  
Docket Number: 2007-1403-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Exxon Mobil Corporation</b>
<b>Payable Penalty Amount:</b>	<b>Ten Thousand Dollars (\$10,000)</b>
<b>SEP Amount:</b>	<b>Five Thousand Dollars (\$5,000)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program</b>
<b>Location of SEP:</b>	<b>Harris County</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

A. Project

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.



**B.     Environmental Benefit**

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

**C.     Minimum Expenditure**

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

**2.     Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council  
Houston-Galveston AERCO  
P.O. Box 22777  
Houston, Texas 77227-2777

**3.     Records and Reporting**

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division  
Attention: SEP Coordinator, MC 219  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**4.     Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality  
Financial Administration Division, Revenues  
Attention: Cashier, MC 214  
P.O. Box 13088  
Austin, Texas 78711-3088

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The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

**5. Publicity**

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



# Texas Commission on Environmental Quality

## INTEROFFICE MEMORANDUM

### TCEQ DOCKET SYSTEM INFORMATION SHEET

Item Type (Enforcement, Use Determination, or N/A): Enforcement

Program Area (AIR, MSW, PST, etc.): AIR

Organization Name: El Paso County  
(As shown in Central Registry)

County: El Paso

TCEQ Contact Name: John Muennink  
(As shown in the TCEQ Employee Roster, First & Last Only)

Customer #: CN600342695

Regulated Entity #: RN100819192

Permit/Account/Registration #: EE1694R

Enforcement ID #: 35006

Comments: EE1694R

Email To: DOCKREQ (Official email address for requests for docket numbers, corrections to docket number information, and any questions regarding docket numbers.)

For OCC Use Only:  
Assigned Docket #:

C:\Documents and Settings\jmuennin\My Documents\Case Files\case files\ZZ Blank & other useful Docs\SHELL DOCS\DOCKET REQUEST\_app-08.doc





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision May 25, 2007

TCEQ

DATES	Assigned	20-Aug-2007	Screening	28-Aug-2007	EPA Due	29-Apr-2008
	PCW	1-Nov-2007				

## RESPONDENT/FACILITY INFORMATION

Respondent	Exxon Mobil Corporation		
Reg. Ent. Ref. No.	RN102579307		
Facility/Site Region	12-Houston	Major/Minor Source	Major

## CASE INFORMATION

Enf./Case ID No.	34529	No. of Violations	1
Docket No.	2007-1403-AIR-E	Order Type	Findings
Media Program(s)	Air	Enf. Coordinator	John Muennink
Multi-Media		EC's Team	EnforcementTeam 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** Subtotal 1 **\$10,000**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** 481% Enhancement Subtotals 2, 3, & 7 **\$48,100**

Notes: Enhancement due to 23 NOVs with same or similar violations, 13 NOVs with unrelated violations (including three self-reported monthly effluent violations), 12 Findings Orders and two 1660 Agreed Orders.

**Culpability** No 0% Enhancement Subtotal 4 **\$0**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply** 25% Reduction Subtotal 5 **\$2,500**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes: The Respondent completed corrective actions on June 8, 2007.

**0% Enhancement\*** Subtotal 6 **\$0**  
 \*Capped at the Total EB \$ Amount

Total EB Amounts	\$94
Approx. Cost of Compliance	\$7,000

**SUM OF SUBTOTALS 1-7** Final Subtotal **\$55,600**

### OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Adjustment **\$0**

Notes

Final Penalty Amount **\$55,600**

### STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty **\$10,000**

### DEFERRAL

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

0% Reduction Adjustment **\$0**

Notes

No deferral is recommended for Findings Orders.

### PAYABLE PENALTY

**\$10,000**

Screening Date 28-Aug-2007

Docket No. 2007-1403-AIR-E

PCW

Respondent Exxon Mobil Corporation

Policy Revision 2 (September 2002)

Case ID No. 34529

PCW Revision May 25, 2007

Reg. Ent. Reference No. RN102579307

Media [Statute] Air

Enf. Coordinator John Muennink

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	23	115%
	Other written NOVs	13	26%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	12	300%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 481%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance History Notes

Enhancement due to 23 NOVs with same or similar violations, 13 NOVs with unrelated violations (including three self-reported monthly effluent violations), 12 Findings Orders and two 1660 Agreed Orders.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 481%

<b>Screening Date</b> 28-Aug-2007 <b>Respondent</b> Exxon Mobil Corporation <b>Case ID No.</b> 34529 <b>Reg. Ent. Reference No.</b> RN102579307 <b>Media [Statute]</b> Air <b>Enf. Coordinator</b> John Muennink <b>Violation Number</b> <input type="text" value="1"/>	<b>Docket No.</b> 2007-1403-AIR-E <div style="text-align: right;"><b>PCW</b></div> <div style="text-align: right; font-size: small;"> <i>Policy Revision 2 (September 2002)</i>  <i>PCW Revision May 25, 2007</i> </div>												
<b>Rule Cite(s)</b> 30 Tex. Admin. Code § 116.715(a), Tex. Health & Safety Code § 382.085(b) and Permit No. 18287, Special Condition No. 1													
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<b>Base Penalty</b> <input style="width: 100px;" type="text" value="\$10,000"/>													
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>													
<b>OR</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;"><b>Harm</b></td> </tr> <tr> <td style="text-align: center;"><b>Release</b></td> <td style="text-align: center;">Major      Moderate      Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td style="text-align: center;"><input type="text" value="x"/>      <input type="text"/>      <input type="text"/></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td style="text-align: center;"><input type="text"/>      <input type="text"/>      <input type="text"/></td> </tr> </table> <div style="text-align: right; margin-top: 5px;"> <b>Percent</b> <input style="width: 50px;" type="text" value="100%"/> </div>		<b>Harm</b>	<b>Release</b>	Major      Moderate      Minor	Actual	<input type="text" value="x"/> <input type="text"/> <input type="text"/>	Potential	<input type="text"/> <input type="text"/> <input type="text"/>				
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<b>Release</b>	Major      Moderate      Minor												
Actual	<input type="text" value="x"/> <input type="text"/> <input type="text"/>												
Potential	<input type="text"/> <input type="text"/> <input type="text"/>												
<b>&gt;&gt; Programmatic Matrix</b>													
<b>Matrix Notes</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">Falsification      Major      Moderate      Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td style="text-align: center;"><input type="text"/>      <input type="text"/>      <input type="text"/>      <input type="text"/></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td style="text-align: center;"><input type="text"/>      <input type="text"/>      <input type="text"/>      <input type="text"/></td> </tr> </table> <div style="text-align: right; margin-top: 5px;"> <b>Percent</b> <input style="width: 50px;" type="text" value="0%"/> </div>		Falsification      Major      Moderate      Minor	Actual	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Potential	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>						
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Actual	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>												
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<div style="border: 1px solid black; padding: 5px; min-height: 40px;">           Human health or the environment has been exposed to a significant amount of pollutants as a result of the violation.         </div>													
<b>Adjustment</b> <input style="width: 100px;" type="text" value="\$0"/>													
<input style="width: 100px;" type="text" value="\$10,000"/>													
<b>Violation Events</b>													
<div style="display: flex; justify-content: space-between;"> <div> <b>Number of Violation Events</b> <input style="width: 50px;" type="text" value="1"/> </div> <div> <b>Number of violation days</b> <input style="width: 50px;" type="text" value="1"/> </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; align-items: center;"> <div style="font-size: small; margin-right: 5px;">             mark only one with an x           </div> <table border="1" style="border-collapse: collapse;"> <tr><td style="padding: 2px 5px;">daily</td><td style="width: 40px; text-align: center;"><input type="text" value="x"/></td></tr> <tr><td style="padding: 2px 5px;">monthly</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td style="padding: 2px 5px;">quarterly</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td style="padding: 2px 5px;">semiannual</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td style="padding: 2px 5px;">annual</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td style="padding: 2px 5px;">single event</td><td style="text-align: center;"><input type="text"/></td></tr> </table> </div> <div style="text-align: right; margin-top: 10px;"> <b>Violation Base Penalty</b> <input style="width: 100px;" type="text" value="\$10,000"/> </div> </div>		daily	<input type="text" value="x"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>
daily	<input type="text" value="x"/>												
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semiannual	<input type="text"/>												
annual	<input type="text"/>												
single event	<input type="text"/>												
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;">           One daily event is recommended.         </div>													
<b>Economic Benefit (EB) for this violation</b>													
<b>Estimated EB Amount</b> <input style="width: 100px;" type="text" value="\$94"/>													
<b>Statutory Limit Test</b>													
<b>Violation Final Penalty Total</b> <input style="width: 100px;" type="text" value="\$55,600"/>													
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input style="width: 100px;" type="text" value="\$10,000"/>													

**Economic Benefit Worksheet**

Respondent Exxon Mobil Corporation

Case ID No. 34529

Reg. Ent. Reference No. RN102579307

Media Air

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

**Delayed Costs**

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$7,000	2-Mar-2007	8-Jun-2007	0.3	\$94	n/a	\$94

Notes for DELAYED costs

Estimated expense to properly maintain level indicator floats for the LBG in order to prevent the reoccurrence of emissions due to the same causes. Date required is the date of the emissions event. Final date is the date that corrective actions were completed.

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$7,000

TOTAL

\$94

## Compliance History

Customer/Respondent/Owner-Operator:	CN600123939	Exxon Mobil Corporation	Classification: AVERAGE	Rating: 2.79
Regulated Entity:	RN102579307	EXXON MOBIL BAYTOWN FACILITY	Classification: AVERAGE	Site Rating: 2.61
ID Number(s):				
	AIR NEW SOURCE PERMITS	PERMIT	17370	
	AIR NEW SOURCE PERMITS	PERMIT	18287	
	AIR NEW SOURCE PERMITS	PERMIT	18318	
	AIR NEW SOURCE PERMITS	PERMIT	19301	
	AIR NEW SOURCE PERMITS	PERMIT	21222	
	AIR NEW SOURCE PERMITS	PERMIT	22874	
	AIR NEW SOURCE PERMITS	PERMIT	24669	
	AIR NEW SOURCE PERMITS	PERMIT	26486	
	AIR NEW SOURCE PERMITS	PERMIT	26294	
	AIR NEW SOURCE PERMITS	PERMIT	27403	
	AIR NEW SOURCE PERMITS	PERMIT	26443	
	AIR NEW SOURCE PERMITS	PERMIT	30186	
	AIR NEW SOURCE PERMITS	PERMIT	31067	
	AIR NEW SOURCE PERMITS	PERMIT	31008	
	AIR NEW SOURCE PERMITS	PERMIT	31690	
	AIR NEW SOURCE PERMITS	PERMIT	31852	
	AIR NEW SOURCE PERMITS	PERMIT	31915	
	AIR NEW SOURCE PERMITS	PERMIT	34139	
	AIR NEW SOURCE PERMITS	PERMIT	34295	
	AIR NEW SOURCE PERMITS	PERMIT	33875	
	AIR NEW SOURCE PERMITS	PERMIT	36536	
	AIR NEW SOURCE PERMITS	PERMIT	36664	
	AIR NEW SOURCE PERMITS	PERMIT	38532	
	AIR NEW SOURCE PERMITS	PERMIT	39164	
	AIR NEW SOURCE PERMITS	PERMIT	40394	
	AIR NEW SOURCE PERMITS	PERMIT	40421	
	AIR NEW SOURCE PERMITS	PERMIT	38572	
	AIR NEW SOURCE PERMITS	PERMIT	42509	
	AIR NEW SOURCE PERMITS	PERMIT	43489	
	AIR NEW SOURCE PERMITS	PERMIT	43582	
	AIR NEW SOURCE PERMITS	PERMIT	44162	
	AIR NEW SOURCE PERMITS	PERMIT	47145	
	AIR NEW SOURCE PERMITS	PERMIT	47912	
	AIR NEW SOURCE PERMITS	PERMIT	49342	
	AIR NEW SOURCE PERMITS	PERMIT	49893	
	AIR NEW SOURCE PERMITS	PERMIT	50203	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0232Q	
	AIR NEW SOURCE PERMITS	PERMIT	11007	
	AIR NEW SOURCE PERMITS	PERMIT	1632	
	AIR NEW SOURCE PERMITS	PERMIT	2007	
	AIR NEW SOURCE PERMITS	PERMIT	2073	
	AIR NEW SOURCE PERMITS	PERMIT	2185	
	AIR NEW SOURCE PERMITS	PERMIT	2209	
	AIR NEW SOURCE PERMITS	PERMIT	2258	
	AIR NEW SOURCE PERMITS	PERMIT	2521	
	AIR NEW SOURCE PERMITS	PERMIT	2665	
	AIR NEW SOURCE PERMITS	PERMIT	2977	
	AIR NEW SOURCE PERMITS	PERMIT	2979	
	AIR NEW SOURCE PERMITS	PERMIT	4973	
	AIR NEW SOURCE PERMITS	PERMIT	9556	
	AIR NEW SOURCE PERMITS	PERMIT	10461	
	AIR NEW SOURCE PERMITS	PERMIT	10550	
	AIR NEW SOURCE PERMITS	PERMIT	11053	
	AIR NEW SOURCE PERMITS	PERMIT	11206	
	AIR NEW SOURCE PERMITS	PERMIT	11250	
	AIR NEW SOURCE PERMITS	PERMIT	11380	
	AIR NEW SOURCE PERMITS	PERMIT	11464	
	AIR NEW SOURCE PERMITS	PERMIT	11475	
	AIR NEW SOURCE PERMITS	PERMIT	11483	
	AIR NEW SOURCE PERMITS	PERMIT	11555	
	AIR NEW SOURCE PERMITS	PERMIT	11624	
	AIR NEW SOURCE PERMITS	PERMIT	11703	
	AIR NEW SOURCE PERMITS	PERMIT	11939	
	AIR NEW SOURCE PERMITS	PERMIT	12226	
	AIR NEW SOURCE PERMITS	PERMIT	12380	
	AIR NEW SOURCE PERMITS	PERMIT	12628	
	AIR NEW SOURCE PERMITS	PERMIT	12968	
	AIR NEW SOURCE PERMITS	PERMIT	12977	
	AIR NEW SOURCE PERMITS	PERMIT	12994	
	AIR NEW SOURCE PERMITS	PERMIT	17160	
	AIR NEW SOURCE PERMITS	PERMIT	17369	
	AIR NEW SOURCE PERMITS	PERMIT	51246	
	AIR NEW SOURCE PERMITS	REGISTRATION	55381	
	AIR NEW SOURCE PERMITS	AFS NUM	4820100027	
	AIR NEW SOURCE PERMITS	PERMIT	PSDTX730M2	
	AIR NEW SOURCE PERMITS	REGISTRATION	76269	
	AIR NEW SOURCE PERMITS	REGISTRATION	76221	
	AIR NEW SOURCE PERMITS	REGISTRATION	75420	
	AIR NEW SOURCE PERMITS	REGISTRATION	71553	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX975	
	AIR NEW SOURCE PERMITS	REGISTRATION	71614	
	AIR NEW SOURCE PERMITS	PERMIT	50429	
	AIR NEW SOURCE PERMITS	PERMIT	53461	
	AIR NEW SOURCE PERMITS	PERMIT	52474	
	AIR NEW SOURCE PERMITS	PERMIT	55912	
	AIR NEW SOURCE PERMITS	PERMIT	54582	
	AIR NEW SOURCE PERMITS	PERMIT	54497	
	AIR NEW SOURCE PERMITS	PERMIT	71394	
	AIR NEW SOURCE PERMITS	PERMIT	50582	
	AIR NEW SOURCE PERMITS	PERMIT	54848	
	AIR NEW SOURCE PERMITS	PERMIT	53785	
	AIR NEW SOURCE PERMITS	PERMIT	P975	
	AIR NEW SOURCE PERMITS	PERMIT	55511	
	AIR NEW SOURCE PERMITS	REGISTRATION	72657	

AIR NEW SOURCE PERMITS	REGISTRATION	74578
AIR NEW SOURCE PERMITS	PERMIT	75186
AIR NEW SOURCE PERMITS	REGISTRATION	76931
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M3
AIR NEW SOURCE PERMITS	EPA ID	PSDTX975M2
AIR NEW SOURCE PERMITS	REGISTRATION	76713
AIR NEW SOURCE PERMITS	EPA ID	PSDTX730M2
AIR NEW SOURCE PERMITS	REGISTRATION	77409
AIR NEW SOURCE PERMITS	REGISTRATION	77399
AIR NEW SOURCE PERMITS	REGISTRATION	77720
AIR NEW SOURCE PERMITS	REGISTRATION	77856
AIR NEW SOURCE PERMITS	REGISTRATION	77854
AIR NEW SOURCE PERMITS	REGISTRATION	78550
AIR NEW SOURCE PERMITS	REGISTRATION	78997
AIR NEW SOURCE PERMITS	REGISTRATION	78881
AIR NEW SOURCE PERMITS	REGISTRATION	79530
AIR NEW SOURCE PERMITS	REGISTRATION	79286
AIR NEW SOURCE PERMITS	REGISTRATION	79217
AIR NEW SOURCE PERMITS	REGISTRATION	79601
AIR NEW SOURCE PERMITS	REGISTRATION	80359
AIR NEW SOURCE PERMITS	REGISTRATION	80377
AIR NEW SOURCE PERMITS	REGISTRATION	80173
AIR NEW SOURCE PERMITS	REGISTRATION	80102
AIR NEW SOURCE PERMITS	REGISTRATION	80108
AIR NEW SOURCE PERMITS	REGISTRATION	80212
AIR NEW SOURCE PERMITS	REGISTRATION	80348
AIR NEW SOURCE PERMITS	REGISTRATION	80718
AIR NEW SOURCE PERMITS	REGISTRATION	80989
AIR NEW SOURCE PERMITS	REGISTRATION	80970
AIR NEW SOURCE PERMITS	EPA ID	PAL7
AIR NEW SOURCE PERMITS	REGISTRATION	82011
AIR NEW SOURCE PERMITS	REGISTRATION	81732
AIR NEW SOURCE PERMITS	REGISTRATION	81715
AIR NEW SOURCE PERMITS	REGISTRATION	82004
AIR NEW SOURCE PERMITS	REGISTRATION	81568
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000782698
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50111
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0232Q
AIR OPERATING PERMITS	PERMIT	1229
WASTEWATER	PERMIT	TPDES0006271
WASTEWATER	PERMIT	WQ000592000
WASTEWATER	PERMIT	TX0006271
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	8309
STORMWATER	PERMIT	TXR157592
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50111
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30040
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50111

Location: 2800 Decker Dr, Baytown, TX

Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: August 24, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 24, 2002 to August 24, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: John Muennink Phone: (361) 825-3423

#### Site Compliance History Components

- |  |     |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period?    | No  |
| 3. If Yes, who is the current owner?   | N/A |
| 4. If Yes, who was/were the prior owner(s)?  | N/A |
| 5. When did the change(s) in ownership occur?  | N/A |

#### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 09/23/2002  
Classification: Moderate

ADMINORDER 2001-1269-AIR-E

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Spec Cond 1 PERMIT

Description: Failure to demonstrate that the upset that occurred from February 23, 2001 to March 5, 2001 could not have been prevented.

Effective Date: 03/03/2005

ADMINORDER 2004-0296-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter H 101.354(g)

Description: Operated FINs LS243RP1, LS243RP2 &amp; LS243RP3 during the 2002 without first obtaining allowances for the emissions

Effective Date: 03/11/2005

ADMINORDER 2002-1243-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 OP  
 Description: Failure to limit emissions during an upset.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 OP  
 Description: Failure to limit emissions during an upset that occurred July 23 to 24, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT  
 Description: Failure to limit emissions during an emissions event that occurred September 17 to 19, 2002 and September 20 to 25, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 30 TAC Chapter 116, SubChapter G 116.715(c)(7)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition No. 1 OP  
 Description: Failure to limit emissions during an emissions event that occurred October 28 to 29, 2002.

Effective Date: 08/07/2005

ADMINORDER 2003-1185-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287 and PSD-TX-730, SC No. 20.D PA  
 Description: Failure to conduct grab samples which is representative of the vent gas to flares 14, 15, 17, 19, 20, 22, 25, 26 and 27.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: ExxonMobil allowed the release of unauthorized emissions that were part of a frequent and recurring pattern indicative of inadequate design, operation, and maintenance.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to submit a timely initial notification after discovery of a reportable emissions event.

Effective Date: 02/20/2006

ADMINORDER 2004-0818-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ FLEX PERMIT #18287 / #PSD-TX-730M2 PERMIT  
 Description: Failed to prevent unauthorized emissions that began on June 4, 2003 and lasted for 128 hours.

Effective Date: 04/29/2006

ADMINORDER 2005-0993-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
 Special Conditions PERMIT

Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
 Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287 Special Condition 1 PERMIT  
 Special Condition 1 PERMIT

Description: Failed to prevent an avoidable emissions event, resulting in the unauthorized release of air contaminants.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include authorization number for HCU1 on the final report for the December 17, 2004 emissions event.

Effective Date: 06/15/2006

ADMINORDER 2005-1792-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18287 Special Condition 1 PERMIT  
 Description: Failed to prevent an avoidable emissions event that lasted 2 hours and 16 minutes, releasing 15,261 pounds of carbon monoxide, 37 pounds of ammonia and 6 pounds of hydrogen cyanide.

Effective Date: 08/28/2006

ADMINORDER 2005-0289-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flex Permit # 18287 SC #1 PERMIT

Description: Failed to comply with the emissions sources Maximum Allowable Emission Rate Table during emissions events.

Effective Date: 09/21/2006

ADMINORDER 2006-0233-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SPECIAL CONDITION 1 PERMIT

Description: Failed to prevent an avoidable emissions event that lasted 51 hours and 15 minutes, releasing 86,409 lbs of sulfur dioxide, 2,602 lbs of VOCs, 1,634 lbs of carbon monoxide, 937 lbs of hydrogen sulfide and 130 lbs of nitrogen oxide.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC #1 PERMIT

Description: Failed to prevent an avoidable emissions event on August 9, 2005 that lasted for one hour and 43 minutes, releasing 3,887 lbs of sulfur dioxide, 1,080 lbs of nitrogen monoxide, 120 lbs of nitrogen dioxide and 569 lbs of carbon monoxide.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #18287, SC#1 PA

Description: Failed to prevent the unauthorized emissions of 11,582 lbs of sulfur dioxide, 1,591 lbs of nitrogen monoxide, 839 lbs of carbon monoxide and 180 lbs of nitrogen dioxide during an emissions event on September 12, 2005, which lasted for one hour.

Effective Date: 10/02/2006

ADMINORDER 2006-0365-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC1 PERMIT

Description: Failed to prevent an avoidable emissions event on 3/24/04 that lasted five hrs and three minutes, releasing 41,458 lbs of carbon monoxide, 185 lbs of ammonia, 148 lbs of hydrogen cyanide, 220 lbs of particulate matter, 716 lbs nitrogen oxides, 5,493 lbs of sulfur dioxide, 9,106 lbs of VOCs and 46 lbs of hydrogen sulfide

Effective Date: 01/26/2007

ADMINORDER 2006-0737-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit No. 18287, SC#1 PERMIT

Description: Failed to prevent an avoidable emissions event in the Catalytic Light Ends Unit 3 on September 3, 2004 that lasted eight minutes, releasing 14,399 pounds ("lbs") of the highly reactive volatile organic compound ("HRVOC") ethylene and 146 lbs of propane.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Permit #18287, SC# 1 PERMIT

Description: Failed to prevent an avoidable emissions event in the Propane Dewaxing Unit on November 29, 2005 that lasted 12 hours and 30 minutes, releasing 11,409 pounds ("lbs") of propane, 62 lbs of hydrogen sulfide and 28 lbs of propylene.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to identify the permit number on the final reports that were submitted for the September 3, 2004 and November 29, 2005 emissions events.

Effective Date: 05/25/2007

ADMINORDER 2006-1398-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC#1 PERMIT

Description: Failed to prevent the unauthorized release of 49,720 lbs of sulfur dioxide, 960 lbs of hydrogen sulfide, 30 lbs of nitrogen oxides, 599 lbs of total sulfur and 124 lbs of hydrogen disulfide during an emissions event that began on Nov. 23, 2004 and lasted three hours and 12 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Permit No. 18287 PERMIT

Description: Failed to prevent the unauthorized release of 510 lbs of carbon monoxide, 182 lbs of hydrogen sulfide, 16,743 lbs of sulfur dioxide, 42.9 lbs of ethylene, 128.6 lbs of butane, 285.8 lbs of VOC, 335.8 lbs of propane and 100 lbs of nitrogen oxides during an emissions event that started on May 16, 2006 and lasted 43 min

Effective Date: 06/29/2007

ADMINORDER 2006-1196-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition Nos. 1 and 36A PERMIT

Description: Failed to keep hydrogen sulfide blend gas concentrations 3-hour average below 160 parts per million ("ppm") resulting in the unauthorized emissions of 12,051 pounds ("lbs") of sulfur dioxide, 1,080.6 lbs of nitrogen oxides and 512.5 lbs of carbon monoxide.

Effective Date: 08/23/2007

ADMINORDER 2006-2043-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit #18287, SC1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, 99,307 pounds ("lbs") of volatile organic compounds and 189 lbs of hydrogen sulfide was released from the Pipestill 8 Unit during an emissions event that began on November 16, 2004 and lasted 35 minutes.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to identify the permit number on the final report for the November 16, 2004 emissions event.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	08/26/2002	(8617)
2	08/27/2002	(9555)
3	08/28/2002	(10138)
4	08/28/2002	(10060)
5	08/28/2002	(9533)
6	08/31/2002	(4925)
7	08/31/2002	(10348)
8	08/31/2002	(10406)
9	08/31/2002	(9353)
10	08/31/2002	(4790)
11	08/31/2002	(10215)
12	08/31/2002	(9535)
13	08/31/2002	(9989)
14	08/31/2002	(9518)
15	08/31/2002	(9514)
16	08/31/2002	(9505)
17	08/31/2002	(4782)
18	08/31/2002	(10002)
19	08/31/2002	(9984)
20	08/31/2002	(10376)
21	08/31/2002	(9873)
22	08/31/2002	(9839)
23	08/31/2002	(10301)
24	08/31/2002	(10337)
25	08/31/2002	(9529)
26	09/12/2002	(6717)
27	09/16/2002	(158977)
28	09/25/2002	(11688)
29	09/25/2002	(11704)
30	09/25/2002	(10278)
31	09/25/2002	(11714)
32	10/04/2002	(11966)
33	10/07/2002	(9492)
34	10/07/2002	(10732)
35	10/09/2002	(12765)
36	10/14/2002	(158980)
37	10/21/2002	(11574)
38	10/25/2002	(12472)
39	11/15/2002	(158984)
40	11/19/2002	(14312)
41	11/25/2002	(16480)
42	12/02/2002	(16777)
43	12/19/2002	(158988)
44	01/08/2003	(16788)
45	01/10/2003	(19176)
46	01/17/2003	(21370)
47	01/21/2003	(158992)
48	02/08/2003	(158951)
49	03/18/2003	(28114)
50	03/21/2003	(158954)
51	03/21/2003	(22728)
52	03/28/2003	(27429)
53	03/29/2003	(26898)
54	04/03/2003	(26192)
55	04/03/2003	(24466)
56	04/15/2003	(158959)
57	05/01/2003	(34037)
58	05/08/2003	(24899)
59	05/14/2003	(21719)
60	05/19/2003	(28334)
61	05/20/2003	(158963)
62	06/03/2003	(31487)
63	06/18/2003	(158967)
64	06/27/2003	(23997)
65	07/11/2003	(38025)
66	07/15/2003	(158971)
67	07/21/2003	(145449)
68	07/28/2003	(143775)
69	07/31/2003	(143468)
70	08/04/2003	(27210)
71	08/05/2003	(12119)
72	08/06/2003	(148752)
73	08/18/2003	(295750)
74	08/27/2003	(113043)
75	08/27/2003	(152197)
76	08/29/2003	(150365)
77	08/29/2003	(150864)
78	09/16/2003	(295752)
79	10/20/2003	(295754)
80	11/18/2003	(295756)
81	12/17/2003	(295757)
82	01/23/2004	(295758)
83	01/30/2004	(258928)
84	01/30/2004	(258921)
85	02/18/2004	(295740)
86	02/20/2004	(262675)

87	02/26/2004	(263843)
88	03/10/2004	(260889)
89	03/10/2004	(260872)
90	03/15/2004	(295742)
91	03/15/2004	(263857)
92	03/17/2004	(263880)
93	04/07/2004	(263885)
94	04/19/2004	(295743)
95	04/30/2004	(266933)
96	05/10/2004	(151755)
97	05/17/2004	(295745)
98	05/17/2004	(267458)
99	06/03/2004	(269088)
100	06/14/2004	(295747)
101	06/16/2004	(267859)
102	06/22/2004	(267197)
103	06/25/2004	(267327)
104	06/28/2004	(268017)
105	06/28/2004	(267243)
106	06/30/2004	(273343)
107	06/30/2004	(272731)
108	06/30/2004	(268942)
109	06/30/2004	(268976)
110	07/02/2004	(268937)
111	07/05/2004	(268960)
112	07/08/2004	(332775)
113	07/23/2004	(267916)
114	07/28/2004	(352252)
115	07/28/2004	(273430)
116	07/30/2004	(281613)
117	08/03/2004	(278115)
118	08/05/2004	(284996)
119	08/05/2004	(285905)
120	08/06/2004	(283891)
121	08/12/2004	(287978)
122	08/16/2004	(352253)
123	08/28/2004	(268055)
124	08/28/2004	(268992)
125	08/30/2004	(268034)
126	08/31/2004	(268738)
127	08/31/2004	(268748)
128	08/31/2004	(268764)
129	09/01/2004	(292073)
130	09/01/2004	(290594)
131	09/01/2004	(283208)
132	09/01/2004	(291353)
133	09/01/2004	(290226)
134	09/01/2004	(292083)
135	09/20/2004	(352254)
136	09/24/2004	(270454)
137	10/11/2004	(335357)
138	10/18/2004	(352255)
139	10/26/2004	(292710)
140	10/27/2004	(333600)
141	11/03/2004	(338702)
142	11/05/2004	(334294)
143	11/08/2004	(335879)
144	11/08/2004	(340028)
145	11/08/2004	(340024)
146	11/08/2004	(337651)
147	11/09/2004	(339020)
148	11/09/2004	(339949)
149	11/09/2004	(340023)
150	11/11/2004	(340075)
151	11/11/2004	(340145)
152	11/12/2004	(340365)
153	11/12/2004	(340615)
154	11/12/2004	(335883)
155	11/15/2004	(352256)
156	11/17/2004	(340163)
157	11/17/2004	(340565)
158	11/22/2004	(337719)
159	11/22/2004	(340689)
160	11/22/2004	(340575)
161	11/22/2004	(339656)
162	11/22/2004	(267703)
163	11/23/2004	(340185)
164	11/29/2004	(340829)
165	12/05/2004	(269620)
166	12/09/2004	(341224)
167	12/13/2004	(268246)
168	12/13/2004	(267690)
169	12/13/2004	(342452)
170	12/13/2004	(267765)
171	12/13/2004	(342441)
172	12/14/2004	(342432)
173	12/14/2004	(342708)
174	12/14/2004	(342152)
175	12/16/2004	(342682)
176	12/20/2004	(381909)
177	12/20/2004	(338518)
178	12/21/2004	(341978)
179	12/22/2004	(278243)
180	12/22/2004	(268731)
181	12/22/2004	(339607)

182	12/22/2004	(340759)
183	12/22/2004	(342051)
184	12/27/2004	(341022)
185	12/28/2004	(268993)
186	12/28/2004	(337673)
187	12/28/2004	(334795)
188	12/28/2004	(268990)
189	12/28/2004	(343607)
190	12/28/2004	(334936)
191	12/28/2004	(269717)
192	12/28/2004	(272677)
193	12/28/2004	(341014)
194	12/28/2004	(267530)
195	12/28/2004	(341980)
196	12/28/2004	(268918)
197	12/28/2004	(338557)
198	12/29/2004	(278295)
199	12/29/2004	(341979)
200	12/30/2004	(268760)
201	12/31/2004	(267843)
202	12/31/2004	(272589)
203	01/04/2005	(267623)
204	01/04/2005	(341983)
205	01/04/2005	(267736)
206	01/06/2005	(344763)
207	01/06/2005	(267642)
208	01/07/2005	(341981)
209	01/07/2005	(343633)
210	01/10/2005	(341982)
211	01/10/2005	(339231)
212	01/12/2005	(267368)
213	01/12/2005	(344761)
214	01/13/2005	(346338)
215	01/21/2005	(342494)
216	01/23/2005	(334796)
217	01/25/2005	(381910)
218	01/25/2005	(341747)
219	01/25/2005	(348070)
220	01/27/2005	(342684)
221	01/31/2005	(347261)
222	02/15/2005	(381907)
223	02/21/2005	(351015)
224	02/21/2005	(337401)
225	02/28/2005	(267818)
226	03/15/2005	(381908)
227	03/29/2005	(375295)
228	04/07/2005	(344010)
229	04/07/2005	(337403)
230	04/12/2005	(375744)
231	04/18/2005	(419750)
232	04/22/2005	(349214)
233	04/22/2005	(349058)
234	04/22/2005	(347659)
235	04/28/2005	(348685)
236	05/10/2005	(380346)
237	05/12/2005	(374170)
238	05/13/2005	(379379)
239	05/17/2005	(419751)
240	05/26/2005	(333676)
241	06/09/2005	(394572)
242	06/13/2005	(395496)
243	06/20/2005	(419752)
244	06/20/2005	(343630)
245	06/23/2005	(395306)
246	06/30/2005	(396806)
247	06/30/2005	(396852)
248	07/12/2005	(349438)
249	07/12/2005	(398391)
250	07/13/2005	(399494)
251	07/13/2005	(348979)
252	07/13/2005	(349569)
253	07/18/2005	(440885)
254	07/22/2005	(349408)
255	07/29/2005	(349505)
256	08/02/2005	(402576)
257	08/02/2005	(402917)
258	08/02/2005	(402737)
259	08/02/2005	(402844)
260	08/03/2005	(401816)
261	08/08/2005	(402336)
262	08/08/2005	(399628)
263	08/09/2005	(403164)
264	08/09/2005	(403721)
265	08/09/2005	(403230)
266	08/09/2005	(403380)
267	08/09/2005	(404259)
268	08/09/2005	(404230)
269	08/09/2005	(404296)
270	08/09/2005	(403017)
271	08/15/2005	(405021)
272	08/16/2005	(404547)
273	08/16/2005	(404301)
274	08/18/2005	(440886)
275	08/19/2005	(404792)
276	08/23/2005	(405305)

277	08/24/2005	(399636)
278	08/24/2005	(399637)
279	08/29/2005	(405928)
280	08/29/2005	(405272)
281	08/31/2005	(418871)
282	09/01/2005	(399476)
283	09/23/2005	(440887)
284	09/28/2005	(432076)
285	09/28/2005	(431581)
286	10/07/2005	(347309)
287	10/12/2005	(342414)
288	10/17/2005	(434480)
289	10/21/2005	(440888)
290	11/03/2005	(418987)
291	11/03/2005	(431598)
292	11/04/2005	(436195)
293	11/07/2005	(431591)
294	11/07/2005	(431566)
295	11/09/2005	(431596)
296	11/09/2005	(431541)
297	11/15/2005	(431597)
298	11/21/2005	(468533)
299	11/22/2005	(435072)
300	11/22/2005	(438130)
301	11/22/2005	(433933)
302	12/19/2005	(468534)
303	12/20/2005	(267563)
304	12/21/2005	(435335)
305	12/21/2005	(434204)
306	12/30/2005	(435909)
307	12/30/2005	(435916)
308	01/17/2006	(468535)
309	01/17/2006	(273538)
310	01/17/2006	(450474)
311	02/06/2006	(450733)
312	02/16/2006	(337610)
313	02/17/2006	(468531)
314	02/21/2006	(452651)
315	02/28/2006	(456441)
316	02/28/2006	(457051)
317	03/20/2006	(498267)
318	03/23/2006	(343625)
319	03/24/2006	(459648)
320	04/04/2006	(461224)
321	04/13/2006	(431716)
322	04/17/2006	(468532)
323	04/20/2006	(457398)
324	04/20/2006	(457390)
325	04/20/2006	(461537)
326	04/26/2006	(338552)
327	04/27/2006	(461574)
328	04/28/2006	(463895)
329	05/02/2006	(460481)
330	05/03/2006	(463377)
331	05/04/2006	(462741)
332	05/08/2006	(457378)
333	05/16/2006	(462451)
334	05/16/2006	(465569)
335	05/17/2006	(457374)
336	05/17/2006	(498268)
337	05/22/2006	(466175)
338	05/25/2006	(431599)
339	05/30/2006	(479780)
340	05/30/2006	(479785)
341	05/30/2006	(479729)
342	05/30/2006	(479791)
343	05/30/2006	(479710)
344	05/30/2006	(479817)
345	05/31/2006	(465081)
346	05/31/2006	(462401)
347	05/31/2006	(344766)
348	05/31/2006	(463588)
349	06/02/2006	(464665)
350	06/02/2006	(454646)
351	06/02/2006	(460480)
352	06/13/2006	(498269)
353	06/14/2006	(466357)
354	06/19/2006	(481233)
355	06/19/2006	(481262)
356	06/26/2006	(481569)
357	06/29/2006	(480981)
358	06/30/2006	(481533)
359	07/07/2006	(483457)
360	07/07/2006	(483683)
361	07/07/2006	(484811)
362	07/17/2006	(498270)
363	07/20/2006	(484814)
364	07/31/2006	(489107)
365	07/31/2006	(484463)
366	08/03/2006	(489455)
367	08/03/2006	(454867)
368	08/08/2006	(520282)
369	08/09/2006	(484809)
370	08/18/2006	(347307)
371	08/18/2006	(487811)

372	08/31/2006	(489776)
373	08/31/2006	(465761)
374	09/01/2006	(509264)
375	09/01/2006	(510727)
376	09/01/2006	(510733)
377	09/05/2006	(489701)
378	09/05/2006	(489770)
379	09/11/2006	(520283)
380	09/25/2006	(497145)
381	09/29/2006	(489710)
382	10/06/2006	(520284)
383	10/18/2006	(513741)
384	10/18/2006	(512809)
385	10/26/2006	(517328)
386	10/30/2006	(516968)
387	11/06/2006	(544605)
388	11/15/2006	(514799)
389	11/15/2006	(347306)
390	11/15/2006	(518447)
391	11/30/2006	(457899)
392	11/30/2006	(531626)
393	12/07/2006	(544606)
394	12/08/2006	(532394)
395	12/13/2006	(519183)
396	12/21/2006	(393692)
397	01/08/2007	(533556)
398	01/09/2007	(535937)
399	01/11/2007	(544607)
400	01/11/2007	(534949)
401	01/12/2007	(481287)
402	01/23/2007	(536577)
403	01/29/2007	(532949)
404	01/29/2007	(449587)
405	01/31/2007	(517160)
406	01/31/2007	(538653)
407	02/02/2007	(462413)
408	02/05/2007	(457903)
409	02/06/2007	(539165)
410	02/07/2007	(544604)
411	02/08/2007	(539319)
412	02/09/2007	(484815)
413	02/09/2007	(440421)
414	02/09/2007	(449579)
415	02/15/2007	(535801)
416	02/15/2007	(457902)
417	02/27/2007	(515654)
418	02/28/2007	(481875)
419	03/08/2007	(449583)
420	03/23/2007	(489664)
421	03/23/2007	(490037)
422	03/26/2007	(541019)
423	03/26/2007	(541089)
424	03/26/2007	(541133)
425	03/27/2007	(534342)
426	03/28/2007	(555118)
427	03/30/2007	(541407)
428	03/30/2007	(535817)
429	04/04/2007	(511045)
430	04/05/2007	(536574)
431	04/05/2007	(543125)
432	04/12/2007	(535873)
433	04/19/2007	(538065)
434	04/19/2007	(537203)
435	04/20/2007	(556917)
436	04/20/2007	(536593)
437	04/20/2007	(539663)
438	04/24/2007	(536941)
439	04/24/2007	(537438)
440	04/27/2007	(556005)
441	04/30/2007	(542577)
442	05/01/2007	(539681)
443	05/03/2007	(554208)
444	05/04/2007	(535563)
445	05/08/2007	(558748)
446	05/08/2007	(535299)
447	05/08/2007	(489678)
448	05/08/2007	(541040)
449	05/08/2007	(535352)
450	05/09/2007	(535078)
451	05/09/2007	(457383)
452	05/09/2007	(535565)
453	05/11/2007	(536591)
454	05/16/2007	(558902)
455	05/16/2007	(539675)
456	05/17/2007	(490200)
457	05/30/2007	(560387)
458	05/31/2007	(561882)
459	05/31/2007	(540430)
460	05/31/2007	(538802)
461	06/05/2007	(562903)
462	06/08/2007	(554582)
463	06/15/2007	(560235)
464	06/15/2007	(561789)
465	06/27/2007	(563272)
466	06/27/2007	(559573)

467 06/27/2007 (559574)  
 468 06/27/2007 (559236)  
 469 07/03/2007 (555858)  
 470 07/05/2007 (564964)  
 471 07/06/2007 (562588)  
 472 07/10/2007 (567169)  
 473 07/11/2007 (543749)  
 474 07/11/2007 (541738)  
 475 07/16/2007 (561456)  
 476 07/23/2007 (568005)  
 477 07/30/2007 (563075)  
 478 08/03/2007 (564720)  
 479 08/06/2007 (570695)  
 480 08/09/2007 (554535)  
 481 08/09/2007 (571423)  
 482 08/10/2007 (580522)  
 483 08/10/2007 (563117)  
 484 08/13/2007 (563757)  
 485 08/22/2007 (568350)

E. Written notices of violations (NOV). (CEDS Inv. Track. No.)

Date:	08/31/2002	(158977)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)(G)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	10/31/2002	(158984)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)(G)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	03/25/2003	(22728)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 101, SubChapter F 101.222(b)(3) 5C THC Chapter 382, SubChapter A 382.085(b)			
Description:	Failure to prevent unauthorized emissions that resulted from a maintenance event.			
Date:	05/08/2003	(24889)	Classification:	Moderate
Self Report?	NO			
Citation:	5C THC Chapter 382, SubChapter A 382.085(a)			
Description:	Failed to control ethylene emissions during process operations.			
Date:	07/31/2003	(143468)	Classification:	Minor
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
Description:	Failure to draw representative samples from cooling towers CT 16/24 and CT 58			
Date:	08/29/2003	(150864)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)			
Description:	Exxon failed to report an emissions event that occurred during a scheduled maintenance activity.			
Date:	07/08/2004	(332775)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
Date:	08/06/2004	(283891)	Classification:	Minor
Self Report?	NO			
Citation:	TWC Chapter 26 26.121(a)(1)			
Description:	Failure to prevent the unauthorized discharge of firewater.			
Self Report?	NO			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)			
Rqmt Prov:	PERMIT No. 00592-000 Page 2 No. 1			
Description:	Failure to maintain compliance with permitted Total Suspended Solids (TSS) effluent limit at outfall 001. The grab sample collected during the inspection was noncompliant for TSS.			
Date:	08/28/2004	(268055)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18287			
Description:	Exceeded VOC permit limit.			
Date:	08/28/2004	(268992)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18287			
Description:	Failed to prevent unauthorized emissions during an emissions event.			
Date:	11/10/2004	(339949)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Flex Permit 18287, SC 1			
Description:	Failure to prevent unauthorized ethylene emissions from safety valve CLO-369.			
Date:	11/30/2004	(340185)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Flex Permit 18287, SC 1			
Description:	Failure to prevent unauthorized emissions of 687 lbs SO2.			
Date:	12/21/2004	(334796)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 116, SubChapter G 116.715(c)(7) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT Special Condition 1			
Description:	A contract worker inadvertently tripped the C30 shutdown interlock, shutting down the CLEU3 unit.			
Date:	12/22/2004	(339607)		

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 116, SubChapter G 116.715(c)(7) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 1		
Description:	Operator inadvertently left CWS block valve closed during startup. Wet Gas Compressor could not handle all the acfm of gas. Excess cat gas was flared until troubleshooters found and corrected the problem.		
Date:	12/28/2004	(338518)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 116, SubChapter G 116.715(c)(7) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 1		
Description:	Exxon failed to properly control 600 psi steam system pressure during a rainstorm, thereby losing control of Sour Gas Compressor speed in the Flexicoker Unit, resulting in localized loss of pressure control and opening of some pressure relief valves to the flare.		
Date:	12/28/2004	(341978)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 18287, SC 1		
Description:	Failure to prevent unauthorized emissions of 909 pounds of sulfur dioxide.		
Date:	12/29/2004	(341979)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Flexible Permit 18287, SC 1		
Description:	Failure to prevent unauthorized emissions of 11 lbs of hydrogen sulfide and 3862 lbs of sulfur dioxide.		
Date:	12/30/2004	(268990)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 116, SubChapter G 116.715(c)(7) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 1		
Description:	Exxon failed to provide an affirmative defense for Incident # 36744. CO Boiler SG501B air damper stuck too far open, then swung shut. Exxon has not explained how/why. 12,881 lbs of unauthorized CO emissions cannot be exempted. NOV to be issued.		
Date:	12/31/2004	(267843)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 30 TAC Chapter 116, SubChapter G 116.715(c)(7) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Special Condition 1		
Description:	During the startup of the T-6 sour depropanizer tower, the refrigeration would not start, due to instrument malfunction, which resulted in flaring. The instrument malfunction was corrected and the compressor started as quickly as possible.		
Date:	12/31/2004	(341980)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT Permit 18287, SC 1		
Description:	Failure to prevent emissions of 4035 lbs of SO2.		
Date:	01/24/2005	(342494)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter G 116.715(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)		
Rqmt Prov:	PA Permit 18287 Special Condition 54E		
Description:	failure to cap/plug valve nos., 204, 223, 451, 650, 222, 283, and valves next to valve 43, and 228 respectively.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)		
Description:	failure to seal the end of two leaking plug #462 (670 ppmv reading), and #511 (6,500 ppmv reading).		
Date:	08/19/2005	(404792)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	failed to identify self heating waste material which caused a fire in a roll off bin.		
Date:	09/30/2005	(440888)	
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/26/2006	(461574)	
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Permit #18287, SC #1		
Description:	ExxonMobil failed to provide lean MEA while pressurizing Tower 381.		
Date:	05/15/2006	(462451)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8) 30 TAC Chapter 116, SubChapter B 116.115(b) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Permit No. 44533, GC #8		
Description:	Exxon failed to submit a completed final report.		
Date:	05/31/2006	(463588)	
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.211(a)(1)(i)		
Description:	Failed to report the permit authorization for the facility involved in the maintenance activity.		
Date:	07/07/2006	(483457)	

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Exxon failed to submit a CAP in a timely manner.		
Date:	08/18/2006		
	(487811)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1)		
Description:	Failed submit a CAP in a timely manner.		
Date:	08/31/2006		
	(489776)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT 18287		
Description:	EM failed to prevent this emissions event.		
Date:	10/18/2006		
	(513741)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA TCEQ Flexible Air Permit #18287, SC#1		
Description:	Exxon Mobil failed to prevent a break on the instrument air line.		
Date:	12/13/2006		
	(519183)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.223(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Exxon failed to submit a CAP in a timely manner.		
Date:	01/08/2007		
	(533556)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA TCEQ Flexible Air Permit #18287, SC#1		
Description:	failure to prevent a power source interruption of all three power suppliers due to bad transfer switches.		
Date:	01/29/2007		
	(532949)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to comply with Other Requirements No. 3 of TPDES Permit No. 00592-000.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to properly operate and maintain the trickling filter.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 319, SubChapter A 319.11(b)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to document the time of pH analyses for Outfalls 102 and 002, therefore, the pH holding time could not be determined.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to properly collect the 24-hour acute marine bioassay for Outfall 002.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 319, SubChapter A 319.7(a)(G)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to properly record the time of sample collection, as required.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 319, SubChapter A 319.7(c)		
Description:	Failure to properly complete the 10/06 discharge monitoring report (DMR).		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 319, SubChapter A 319.11(a) 30 TAC Chapter 319, SubChapter A 319.11(b)		
Description:	Failure to properly collect the oil & grease, phenolic compounds, and polynuclear aromatic hydrocarbon grab samples.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(4) 30 TAC Chapter 305, SubChapter F 305.125(5) TWC Chapter 26 26.121 TWC Chapter 26 26.121(a)(1) TWC Chapter 26 26.121(a)(2) TWC Chapter 26 26.121(a)(3) TWC Chapter 26 26.121(a)(G) TWC Chapter 26 26.121(b) TWC Chapter 26 26.121(c) TWC Chapter 26 26.121(d) TWC Chapter 26 26.121(e) TWC Chapter 26 26.121(G)		
Rqmt Prov:	PERMIT 00592-000		
Description:	Failure to prevent the unauthorized discharge of domestic sewage.		
Date:	02/13/2007		
	(539319)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA TCEQ AIR FLEXIBLE PERMIT #18287, SC#1		
Description:	ExxonMobil failed to accurately set the operating envelope set point for safety valve H0889.		
Date:	04/04/2007		
	(511045)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:	PERMIT No. 18287/Special Condition No. 45E.		
Description:	The report was received in the Region 12 Office on May 9, 2006, which is 119 days after the January 10th test. Permit No. 18287, Special Condition No. 45E requires the stack test report be submitted within 90 days of the test. This report will be documented as a Notice of Violation Issued and resolved.		
Date:	05/01/2007		
	(539681)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter G 116.715(a) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA No.18287/PSD-TX-703 SC 1 PA No.18287/PSD-TX-703 SC14B		
Description:	Failed to maintain the pilot flame on all flares.		

- F. Environmental audits.  
N/A
- G. Type of environmental management systems (EMSs).  
N/A
- H. Voluntary on-site compliance assessment dates.  
N/A

- I. Participation in a voluntary pollution reduction program.  
N/A
  - J. Early compliance.  
N/A
- Sites Outside of Texas
- N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
EXXON MOBIL CORPORATION  
RN102579307**

**§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2007-1403-AIR-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Exxon Mobil Corporation ("Exxon") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Exxon presented this agreement to the Commission.

Exxon understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Exxon agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Exxon.

The Commission makes the following Findings of Fact and Conclusions of Law:

### **I. FINDINGS OF FACT**

1. Exxon owns and operates a refining and supply company at 2800 Decker Drive in Baytown, Harris County, Texas (the "Plant").



2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review on June 13, 2007, TCEQ staff documented that Exxon released 11,294 pounds ("lbs") of sulfur dioxide, 1.5 lbs of hydrogen sulfide and 0.81 lbs of sulfur from the Low BTU Gas Fired Sources ("LBG") during an avoidable emissions event that began March 2, 2007 and lasted 16 hours and 27 minutes.
4. Exxon received notice of the violations on August 8, 2007.
5. The Executive Director recognizes that Exxon has implemented the following corrective measures as of June 8, 2007:
  - a. A series of calculations has been developed to predict a material balance around the regenerator tower; and
  - b. An alarm has been set to alert operating personnel to changes in the material balance that indicate possible flooding conditions.

## II. CONCLUSIONS OF LAW

1. Exxon is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, Exxon failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 18287, Special Condition No. 1. Since these emissions were avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Exxon for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Exxon has paid Five Thousand Dollars (\$5,000) of the administrative penalty. Five Thousand Dollars (\$5,000) shall be conditionally offset by Exxon's completion of a Supplemental Environmental Project ("SEP").



### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Exxon is assessed an administrative penalty in the amount of Ten Thousand Dollars (\$10,000) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Exxon's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Exxon Mobil Corporation, Docket No. 2007-1403-AIR-E" to:  
  
Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. Exxon shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 4 above, Five Thousand Dollars (\$5,000) of the assessed administrative penalty shall be offset with the condition that Exxon implement the SEP defined in Attachment A, incorporated herein by reference. Exxon's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon Exxon. Exxon is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If Exxon fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Exxon's failure to comply is not a violation of this Agreed Order. Exxon shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Exxon shall notify the Executive Director within seven days after Exxon becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Exxon shall be made in writing to the Executive Director. Extensions are not effective until Exxon receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.



6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Exxon if the Executive Director determines that Exxon has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against Exxon in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

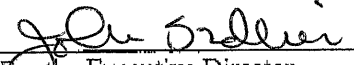


Exxon Mobil Corporation  
DOCKET NO. 2007-1403-AIR-E  
Page 5

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
\_\_\_\_\_  
For the Executive Director

12/21/2007  
Date

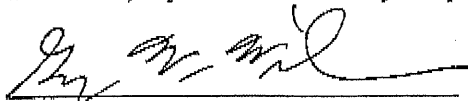
I, the undersigned, have read and understand the attached Agreed Order in the matter of Exxon Mobil Corporation. I am authorized to agree to the attached Agreed Order on behalf of Exxon Mobil Corporation, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Exxon Mobil Corporation waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
\_\_\_\_\_  
Signature

11/20/07  
Date

GARY W. WILSON  
Name (Printed or typed)  
Authorized Representative of  
Exxon Mobil Corporation

BAYTOWN PLANTIFY MANAGER  
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.



Attachment A  
Docket Number: 2007-1403-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Exxon Mobil Corporation</b>
<b>Payable Penalty Amount:</b>	<b>Ten Thousand Dollars (\$10,000)</b>
<b>SEP Amount:</b>	<b>Five Thousand Dollars (\$5,000)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program</b>
<b>Location of SEP:</b>	<b>Harris County</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

A. Project

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*. SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.



B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council  
Houston-Galveston AERCO  
P.O. Box 22777  
Houston, Texas 77227-2777

**3. Records and Reporting**

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division  
Attention: SEP Coordinator, MC 219  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality  
Financial Administration Division, Revenues  
Attention: Cashier, MC 214  
P.O. Box 13088  
Austin, Texas 78711-3088



The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

**5.     Publicity**

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

**6.     Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7.     Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

